

**TOWN OF BENNETT, COLORADO
PLANNING & ZONING COMMISSION
Regular Meeting
February 22, 2021**

1. CALL TO ORDER

The Planning & Zoning Commission of the Town of Bennett met in regular session on Monday, February 22, 2021, virtually via Zoom Link. Chair Wayne Clark called the meeting to order at 6:07 p.m. The following persons were present upon the call of the roll:

Chair: Wayne Clark

Commissioners: Martin Metsker
Scott Smith
Rachel Connor
Grider Lee

Staff Present: Steve Hebert, Planning and Economic Development Manager
Deb Merkle, Community Development Manager
Sara Aragon, Community Development Coordinator
Dan Giroux, Town Engineer
Christina Hart, Town Clerk

Public Present: Dan Dunker, Tom Richardson, David Stockman, Craig Romrell, Mike Talcott,
Joe Huey, Michelle Gayeski, Rita Underwood, Kristen Reay, Kathy Smiley,
Aaron McLean, Brandon, John Cheney, Larry Gayeski

1. APPROVAL OF AGENDA

COMMISSIONER METSKER MOVED, COMMISSIONER SMITH SECONDED to approve the agenda as presented. Voting was as follows:

YES: Clark, Connor, Lee, Metsker, Smith

NO: None

Chairman Clark declared the motion carried by unanimous vote.

2. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments on items not on the agenda presented.

3. REGULAR BUSINESS

A. Public Hearing(s)

1. Case No. 20.19 – QuikTrip Minor Subdivision Plat, Bennett Crossing Filing No. 4.

Resolution No. 2021-02 – A Resolution Recommending Approval of the Outline Development Plan (ODP) for Bennett Crossing

Resolution No. 2021-03 – A Resolution Recommending Approval of a Final Plat (FP) for Bennett Crossing Filing No. 4.

Chair Wayne Clark opened the public hearing on Case No. 20.20 and Case No. 20.19 at 6:15 p.m., a public hearing on the approval of a Resolution recommending approval of the ODP for Bennett Crossing and recommending approval of a Final Plat for Bennett Crossing Filing No. 4. Town Clerk, Christina Hart, stated for the record the Notice of Public Hearing was posted in accordance with State Statute and published in the Eastern Colorado News, February 5, 2021 as Legal Number 2455.

There were no disclosures from the Planning & Zoning Commission.

Steve Hebert, Town Planning and Economic Development Manager, reported to the commission the purpose of the Public Hearing is the Rezone of 4.845 Acres from C-General Commercial to Planned Development (PD) and seeking approval of an ODP.

Case No. 20.20 involves the rezoning of 4.845 acres from C-General Commercial to PD and the adoption of a new ODP.

Case No. 20.19 is a companion application for a resubdivision of six existing platted lots, with a total acreage of 12.02 acres, into four lots to be known as Bennett Crossing Filing No. 4 Final Plat (FP). The applicant then proposes to build a QuikTrip convenience store and gas station on one of the newly configured parcels. The final plat application is the subject of a separate staff report and will be heard as a separate Planning and Zoning Commission agenda item.

The property is located at the northeast corner of the I-70 and Colorado Highway 79 interchange.

The former JaGee/Conoco property, now owned by QuikTrip, was platted as the JaGee Properties Commercial Development and is zoned C-General Commercial. The other lots are currently zoned PD and are a part of the original Bennett Crossing ODP. The applicant proposes rezoning the C-zoned property to PD and combining all of the lots into a new Bennett Crossing Southwest ODP. Staff concurs the pending redevelopment will be more effective if the entire property is under the same zone district.

The new ODP, would allow for a variety of business commercial and highway commercial uses, consistent with the previously approved Bennett Crossing ODP.

Staff finds the proposed final plat in compliance with Chapter 16 of the Bennett Municipal Code. Staff also finds that having a commercial development with two different underlying zone districts will cause confusion and may limit development options. Based upon these findings, staff recommends the Planning and Zoning Commission recommend the Board of Trustees approve Case No. 20.20 – Bennett Crossing Southwest ODP, with the following conditions:

Prior to recording the ODP the applicant shall:

1. Make minor modifications as directed by Town Staff, Engineer and Town Attorney.

Case No. 20.19 involves the resubdivision of six existing platted lots, with a total acreage of 12.02 acres, into four lots, to be known as Bennett Crossing Filing No. 4. Case No. 20.20 is a companion application to rezone a 4.845- acre parcel from C-General Commercial to Planned Development (PD). The applicant then proposes to build a QuikTrip convenience store and gas station on one of the newly configured parcels. The rezoning application is the subject of a separate staff report and will be heard as a separate Planning and Zoning Commission agenda item. The Final Development Plan which serves as a detailed site plan will be reviewed by the Town Board of Trustees at a future meeting.

The property is located at the northeast corner of the I-70 and CO Highway 79 interchange.

The former JaGee/Conoco property, now owned by QuikTrip, was platted as the JaGee Properties Commercial Development and recorded on May 16, 2005. The other lots included in this application are currently owned by Gayeski Capital Equities, LLC, the master developer of Bennett Crossing.

As previously noted, the former JaGee property is zoned C-General Commercial and the remaining lots are zoned Planned Development (PD). The companion rezoning application, Case No. 20.20, proposes to zone all of the properties to PD under a new Bennett Crossing Southwest Outline Development Plan (ODP). The new ODP, if approved, will allow for a variety of business commercial and highway commercial uses, consistent with the previously approved Bennett Crossing ODP. Development on properties zoned PD are subject to a Final Development Plan (FDP) process. The FDP serves as a site plan. FDPs are not reviewed by the Planning and Zoning Commission, only the Board of Trustees. However, the proposed FDP helps put the Filing No. 4 lot reconfiguration in perspective.

- Water will be provided by the Town of Bennett.
- Sanitary Sewer Sanitary sewer will be provided by the Town of Bennett.
- Storm water Management Storm water will be collected and conveyed as part of the Bennett Crossing storm water plan.
- Access and Traffic Each proposed lot will have access to a public street, either directly or via an access easement. Lot 2, Block 1 will have access via CO Highway 79, Marketplace Dr. and Cedar St. Other lots will have access via Marketplace Dr. or Cedar St. Lot 3, Block 1, south of the proposed QuikTrip facility will have access via CO Highway 79 and Cedar St. via a proposed access easement. The existing and proposed street network will have adequate capacity to accommodate commercial development in the subdivision. Final access configuration on CO Highway 79 is being reviewed by Town Staff, the applicant and CDOT.

- Gas, Electricity and Telecommunications Natural gas will be provided by Colorado Natural Gas, electricity by IREA and telecommunications by Eastern Slope Technologies (ESRTA). Appropriate easements for these providers will be provided on the final plat.

Per Section 16-4-380 of the Bennett Municipal Code, the Town shall use the following criteria to evaluate the applicant's final plat application:

A. The final plat incorporates recommended changes, modifications and conditions attached to the sketch plan unless otherwise approved by the Planning Commission. Staff Finding: Because all of the properties were previously platted, no sketch plan is required.

B. All applicable technical standards in accordance with this Chapter and adopted Town documents have been met.

1. To establish appropriate standards for subdivision design that will:

- a. Encourage the development of sound, economical and stable neighborhoods and healthy living environments, in conformance with the goals and policies of the Comprehensive Plan.
- b. Provide lots of adequate size, configuration and design for the purpose for which they are intended to be used.
- c. Promote superior design and design flexibility.
- d. Preserve the significant natural features and environmental quality of the Town.
- e. Guide the physical development of the Town in ways that complement the Town's character and culture.
- f. Promote a cohesive sense of community among new and current residents, precluding neighborhood design or restrictions that in any way isolate any neighborhood from the rest of the community.
- g. Provide complete and accurate public land records. Staff Finding: The proposed reconfiguration of the lots will accommodate new development that meets the standards of good subdivision design.

2. To establish standards for utilities and other public services that will:

- a. Provide an efficient, adequate and economical supply of utilities and services to land proposed for development without adverse effects to property that is currently served.
- b. Ensure that adequate storm water drainage, sewage disposal, water supply and other utilities, services and improvements needed as a consequence of the subdivision of the land are provided.
- c. Provide for the reasonable extension of utilities and services to other lands that may be developed in the future.
- d. Provide the equitable distribution of the cost of new and expanded public services needed to support new land development.

Staff Finding: The proposed lot reconfiguration and the Filing No. 4 Final Plat document will accommodate extension of utilities and public services to serve future commercial development.

3. To ensure the provision of adequate and safe traffic circulation that will:

- a. Minimize traffic hazards through appropriate street design, providing safe and convenient vehicular and pedestrian traffic circulation systems.
- b. Provide adequate vehicular access to abutting properties.

- c. Provide streets of adequate capacity and appropriate design and function.

Staff Finding: The final access points are under consideration by staff, the applicant and the Colorado Department of Transportation. Staff expects this issue to be resolved by the time the final plat goes to the Board of Trustees for its review. The eventual outcome will be guided by standards of safety and adequacy.

4. To ensure adequate public facilities that will:
 - a. Provide for the recreational, cultural, educational and other public facility needs of the community.
 - b. Facilitate effective law enforcement and fire protection.

Staff Finding: No public facilities are anticipated as part of this subdivision.

5. To contribute to the proper development of the community in accordance with the goals and policies of the Comprehensive Plan as it may be updated from time to time.

Staff Finding: The proposed lot reconfiguration will accommodate new retail development and further the Comprehensive Plan goal of "enhancing the sales tax and employment base of the Town by attracting and retaining commercial and industrial development."

C. Compliance with Zoning Regulations

Staff Finding: All lots in Filing No. 4 meet the standards set forth in the previously approved Bennett Crossing Outline Development Plan and the proposed Bennett Crossing Southwest Outline Development Plan, which will serve as the governing zoning document.

Staff finds the proposed final plat is in compliance with overall Subdivision Regulations in Chapter 16, Article IV of the Bennett Municipal Code. Staff also finds the plat has been processed according to Section 16-4-360 and meets the approval criteria in 16-4-380. Based upon these findings, staff recommends the Planning and Zoning Commission recommend to the Board of Trustees approval of Case No. 20.19 – Bennett Crossing Filing No. 4 Final Plat, with the following conditions: Prior to recordation of the final plat the applicant shall:

1. update plat notes related to easements and maintenance in a manner directed by the Town Engineer
2. execute a water service agreement with the Town
3. make other minor modifications as directed by Town Staff, Engineer and Town Attorney.

APPLICANT PRESENTATION

QuikTrip representative, Mike Talcott, thanked staff and the Commissioners for the privilege to present their application. Mr. Talcott provided a background of QuikTrip.

- 15 years on Fortunes' List of "100 Best Companies to Work for in America".
- All locations are owned and operated by QuikTrip, and still family owned
- Creates an average of 22 new jobs per store
- Has never laid off an employee in the history of the company
- Average Store Manager earns \$100,000 per year
- Average entry level Assistant Manager starting pay is \$50,000 per year

- QuikTrip contributes 5% percent of its profits to charitable organizations in the communities in which it operates
- QuikTrip is a National Safe Place location for endangered youth

QuikTrip has partnered with Safe Place. A national nonprofit organization that provides safety for troubled or threatened youth. QuikTrip provides a place for the at-risk youth to come in off the street, receive food and drink, and wait for a volunteer from a Safe Place agency partner to connect them with professional help or a place to stay until their situation is resolved. QuikTrip also provides grants to the local Safe Place agencies.

QuikTrip supports military families, employees, and customers. QuikTrip partners with the Folds of Honor.

QuikTrip provides the very best security features for its employees and customers. Every square inch of QuikTrip will be under surveillance.

The QuikTrip store provides a variety of products for their customers:

- Full made to order kitchen
- Healthy selections; made fresh daily
- Grocery selection
- Ice vending machine
- On-tap drink selections
- Coffee bar

Commissioner Lee asked how the trucks will navigate exiting east from QuikTrip. Mr. Hebert and the QuikTrip applicant Mike Talcott, reported part of the QuikTrip construction will be installing Cedar Street to the east of the property allowing the trucks to exit onto Cedar Street onto Marketplace Drive allowing them to turn north or south onto Colorado Highway 79.

PUBLIC COMMENTS

There were no public comments.

Chair Wayne Clark closed the public hearing on Case No. 20.19 QuikTrip Minor Subdivision Plat at 6:59 p.m.

COMMISSIONER METSKER MOVED AND COMMISSIONER CONNOR SECONDED to approve Resolution No. 2021-02 – A Resolution recommending approval to the Bennett Board of Trustees of the Outline Development Plan for Bennett Crossing Southwest. Voting was as follows:

YES: Connor, Metsker, Smith, Clark
NO: Lee

Chair Clark declared the motion carried by 5 to 1.

COMMISSIONER METSKER MOVED AND COMMISSIONER SMITH SECONDED to approve Resolution No. 2021-03 – A Resolution recommending approval to the Bennett Board of Trustees of a Final Plat for Bennett Crossing Filing No. 4. Voting was as follows:

YES: Metsker, Smith, Clark, Connor
NO: Lee

Chair Clark declared the motion carried by 5 to 1.

2. Case No. 21.01 and Case No. 21.04 – 300 Bennett Avenue Zoning and Sketch Plan

Resolution No. 2021-01 – A Resolution Recommending Approval Initial Zoning for the 300 Bennett Avenue Property.

Chair Wayne Clark opened the public hearing on Case No. 21.01 and Case No. 21.04 at 7:03 p.m., a public hearing on the approval of a Resolution recommending approval of Initial Zoning for the 300 Bennett Avenue Property. Town Clerk, Christina Hart, stated for the record the Notice of Public Hearing was posted in accordance with State Statute and published in the Eastern Colorado News, February 5, 2021 as Legal Number 2453.

There were no disclosures from the Planning & Zoning Commission.

Steve Hebert, Town Planning and Economic Development Manager, reported to the commission the purpose of the Public Hearing is the Zoning of 1.5 acres to R-3 – High Density Residential, Sketch Plan for 20 Townhome lots. Mr. Hebert also reported that Tom Richardson and David Stockman, DATO Investments, LLC, the owner's representatives are present.

The Town Board of Trustees approved the annexation of the 1.5-acre parcel on June 23, 2020. During the annexation process, the applicant initially applied for C – Commercial zoning with the development of a self-storage facility in mind. The Planning and Zoning Commission recommended approval of the C – Commercial zone district; however, the Board of Trustees denied the request after considering concerns that some land uses in the C district might not be compatible with the surrounding residential neighborhoods. The applicants have revised their plans and now propose a townhome development, which is allowed under the R-3 zoning. This staff report addresses both the zoning and the sketch plan.

The applicants have requested R-3 zoning. The R-3 District is intended to provide for higher density multi-family residential development. The property is located at 300 Bennett Ave, immediately east of the Horizon Condominiums, which are also zoned R-3.

In the proposed R-3 zone district, the following land uses are Permitted Uses as "uses-by-right." Uses by-right do not require further review and approval by the Board of Trustees.

1. Elementary and secondary education school
2. Religious institutions
3. Assisted living facility or nursing home
4. Group home for elderly, developmentally disabled or mentally ill persons
5. Home occupations
6. Manufactured homes
7. Multifamily dwelling
8. Rooming, lodging or boarding houses
9. Townhome dwelling
10. Public utilities, minor
11. Eligible telecommunications facilities request

There are several other land uses allowed as Conditional Uses requiring additional Board of Trustees approval, including but not limited to day care centers, parks, recreation centers, fire or police stations, and bed and breakfast establishments.

The applicants propose a subdivision of the 1.5 acres to accommodate 20 townhome lots. Per Sec. 16- 4-370 of the Bennett Municipal Code, "the sketch plan is intended to provide the subdivider with preliminary informal feedback from the Town staff and the Planning Commission on format and substance. Sketch plan review assists the subdivider in understanding the Town's preliminary position on the development, prior to the effort associated with the final plat documents, and to provide the Town with an overall master plan for the proposed development. The Planning Commission shall review the sketch plan in a public meeting and provide feedback to the subdivider. The meeting is intended to be for the mutual exchange of information and development concepts. The feedback shall take the form of recommendations endorsed by a majority of the Planning Commission members present. The recommendations by the Planning Commission may include an endorsement of the sketch plan concept, suggestions for modifications to the concept, or endorsement of alternative designs and specifics necessary to accomplish the Town's goals." The sketch plan includes a 20-lot townhome subdivision with an interior private drive. The townhomes will have front-loaded garages off the private drive, with rear yards backing up to Bennett Ave. on the north and the Bennett Crossing storm water pond to the south. All lots are a minimum of 25 feet wide and 109 feet long, for a minimum lot size of 2,725 sq. ft., which complies with the minimum standards of the R-3 zone district.

Town Engineer Comments

Water Distribution System

1. As noted with the property Annexation, the property is adjacent to an existing Town water distribution main to the immediate north, within the Bennett Avenue right-of-way
2. The property is adjacent to an existing dead-end Town fire hydrant water main to the southwest, within Town unnamed right-of-way, and located between the subject parcel and the Ash Street Condominiums.
3. Per the Town's most recent ISO water system and fire hydrant inventory, the four (4) local water system hydrants are capable of providing appropriate fire flows to support the proposed R-3 Use on the subject property.
4. Both adjacent water distribution mains are within the Town of Bennett "north zone" water pressure zone (matching pressures), so both can be connected for purposes of this property and proposed land use.
5. Connections to both mains are desired for the greatest independent redundancy of the Town's water distribution network to serve the property, including fire suppression.
6. The proposed private drive and limited rear/south access may provide final design challenges with regard to Town utility services and emergency access and support.
7. The Town has water system capability to serve the proposed zoning & Sketch Plan

Sanitary Sewer System

1. As noted with the property Annexation, the property is near several Town sanitary sewer collection mains to the north, within the Brothers 4 Subdivision.
2. Further investigation and discussion with Public Works has indicated these sanitary sewer mains pose limitations with regard to access, condition and stability/reliability for additional users. The mains are fenced, missing necessary manholes, and are in poor pipe condition.
3. The Town therefore highly recommends use of the "LGI" sanitary sewer main just over 400 feet to the east of the subject property, along Bennett Avenue.
4. The upgrade and improvement requirements for the other mains, particularly with limited easement and access, would likely prove too onerous and expensive.

5. Sanitary sewer collection through the proposed development will pose final design challenges to the development team for access and maintenance, depending on private v. public improvements, and desired Town ownership & maintenance.
6. The Town has sanitary sewer and wastewater capability to serve this property for the proposed zoning & Sketch Plan.

Storm water Management

1. As noted with the property Annexation, the adjacent Bennett Avenue street with curb, gutter and drain pans is a part of the Brothers 4 storm water drainage system.
 - a. Bennett Avenue drains storm water flows north via the street system to a Colfax Avenue regional storm water pond and culvert crossing, and on to the Trupp Park regional storm water detention pond.
2. There is a small on-site storm water management pond immediately west of the unnamed Town right-of-way, serving the Ash Street Condominium property, including roof and pavement areas.
 - a. This pond is also tributary to Bennett Avenue and the related downstream features as outlined above.
3. There is a significant storm water management pond immediately south of and adjacent to the subject property, tributary via storm water ponds and storm sewer to Kiowa Creek.
4. A storm water system building onto one or both of these existing adjacent systems is acceptable to the Town and can be incorporated into final design from this Sketch Plan.
5. With appropriate storm water management provided through final development design, the Town has the capability to serve this property for the proposed zoning and Sketch Plan.

Access

1. As noted with the property Annexation, the property is immediately adjacent to the Town's Bennett Avenue right-of-way for access.
2. There is also an unnamed Town 30-foot right-of-way to the west side of this subject parcel, which may assist with and support desirable access to Bennett Avenue, particularly with regard to acceptable large emergency vehicle access, although this is not currently incorporated into the Sketch Plan.
3. Use of the southwest fire hydrant for fire protection of this development will require improvement of an access drive, consisting of at least an all-weather surfacing of sufficient width and geometry to support "through" traffic for large emergency vehicles.
4. This property would benefit from the infill and completion of the Town's continuous sidewalk connection along the south side of Bennett Avenue, including some off-site to the west, to the end of the Horizon Condominiums sidewalk.
5. The Town has street and access capability to serve the proposed zoning & Sketch Plan.

Town Traffic Engineer Comments

Public access to the property is via existing Bennett Avenue.

1. Due to the 26-foot private drive width, no on-street parking should be allowed along the drive.
2. Proper signage should be provided for no parking along the drive and shown in the documentation.
3. Please clarify where visitor parking will be provided since the private drive does not have the width to provide it.

4. If the private drive can be widened by 9 feet, one side of the drive could provide additional parking for visitors.
5. According to the Bennett Roadway Design Standards, Chapter 4, the sidewalk adjacent to Bennett Avenue should be a minimum width of 5 feet and I recommend detached sidewalk in residential areas.

Bennett-Watkins Fire Rescue Comments

- Bennett-Watkins Fire Rescue (BWFR) provides service to the property. They have no objection to the proposed zoning. BWFR will require the developer to conform to the International Fire Code (IFC) standards, to ensure adequate fire suppression and to submit a fire hydrant model. They have also noted concern about the width of the private drive and related turning radii. See their referral response for more details.

Bennett School District 29J

- The Bennett School District 29J submitted a referral letter referencing the school dedication requirements as outlined in the Town of Bennett Municipal Code. The District will discuss land dedication requirements with the developer as the project moves forward. The District also noted it is engaged in a Master Plan update. See the District's letter for more details.

Other Utility and Service Providers

- Responses from both IREA and Colorado Natural Gas highlight future easement locations for utilities.

Staff finds the proposed zoning is consistent with the purpose of the Bennett Land Use Code, outlined in Section 16-1-50, including to:

- Maintain and enhance a quality residential environment in the Town
- Provide a diversity of housing types at various densities
- Promote logical extensions of and efficient use of the Town's infrastructure

Staff also finds the proposed rezoning is consistent with, or will promote, the goals and policies of the Town of Bennett 2016 Comprehensive Plan as required by Sections 16-1-90 and 16-2-360 of the Municipal Code, including the following:

To provide a diversity of housing types at various densities

Staff Finding: The R-3 zoning will allow the construction of higher density homes, adding to the mix of primarily single-family detached homes currently in Bennett.

Preferred Scenario

The Comprehensive Plan outlines a Preferred Scenario described on Page 9. The Preferred Scenario includes a series of planning tiers (Tier One through Tier Four). The Preferred Scenario envisions a healthy, sustainable community where residents can live, work, and play locally, setting Bennett and its proximity to the I-70 corridor apart from a conventional development pattern.

Staff Finding: The 300 Bennett Avenue property is within Tier One described in the Plan, being a part of the Stable Urban area, and development would be consistent with the vision of the Preferred Scenario.

Mixed Residential

The property lies within an area designated as Mixed Residential, which calls for a variety of housing types combined with non-residential secondary land uses that are complementary and supportive of the neighborhood.

Staff Finding: The proposed R-3 zoning will allow residential development that will add to the variety of housing in this Mixed Residential zone.

Based upon these findings, staff recommends the Planning and Zoning Commission recommend to the Board of Trustees approval of Case No. 21.01 to zone the subject property R-3 High Density Residential. See the attached draft resolution for the Commission's consideration.

Regarding the sketch plan, as indicated above, no formal action is required by the Commission at this time.

APPLICANT PRESENTATION

Tom Richardson and David Stockman are business partners with DATO Investments, LLC. Mr. Richardson reported to the Commission the product on Ash Street is similar will be similar to the proposed 300 Bennett Avenue townhomes. The configuration is more square than the Ash Street townhomes. The design has been modified to address potential issues with 300 Bennett Avenue. DATO Investments, LLC will continue to work with Town Staff on the modifications. Mr. Stockman reported to the Commission that the hearing is before them tonight is in regards to zoning not to approve a townhouse project. David Stockman also reported each townhome will have two spaces per unit in the driveway. The extra 30' Bennett property could provide additional parking. DATO Investments, LLC is working with Town Staff on this property. The Ash Street Townhomes lots drain into the alleyway drainage system. The drainage issues are working towards being resolved.

PUBLIC COMMENTS

Dan Dunker, 300 Ash Street, Bennett, Colorado 80102 expressed concerns with the storm water drainage and where it would flow to.

Rita Underwood, 290 Birch Street, Bennett, Colorado 80102 expressed concern of guest parking and density.

Chair Wayne Clark closed the public hearing on Case No. 20.01 300 Bennett Avenue Zoning at 7:34 p.m.

COMMISSIONER METSKER MOVED AND COMMISSIONER SMITH SECONDED to approve Resolution No. 2021-01 – A Resolution recommending approval to the Bennett Board of Trustees of the Initial Zoning for the 300 Bennett Avenue Property. Voting was as follows:

YES: Smith, Clark, Connor, Lee, Metsker

NO: None

Chair Clark declared the motion carried unanimously.

3. Case No. 21.02 – Lennar's Bennett Crossing Sketch Plan

Steve Hebert, Town Planning and Economic Development Manager, reported to the commission the next item before them is for a sketch plan concept review for 243 lot subdivision.

The applicant has submitted a sketch plan for 243 single-family detached lots on approximately 57 acres. The property is zoned PD as part of the Bennett Crossing Outline Development Plan (ODP). The property is located immediately south of the LGI Bennett Crossing residential subdivision at the intersection of Edward Avenue and Adams Street. The proposed subdivision lies within two different subarea zone districts, PA – 4 and PA-5 of the ODP.

Per Sec. 16-4-370 of the Bennett Municipal Code, "the sketch plan is intended to provide the subdivider with preliminary informal feedback from the Town staff and the Planning Commission on format and substance. Sketch plan review assists the subdivider in understanding the Town's preliminary position on the development, prior to the effort associated with the final plat documents, and to provide the Town with an overall master plan for the proposed development. The Planning Commission shall review the sketch plan in a public meeting and provide feedback to the subdivider. The meeting is intended to be for the mutual exchange of information and development concepts. The feedback shall take the form of recommendations endorsed by a majority of the Planning Commission members present. The recommendations by the Planning Commission may include an endorsement of the sketch plan concept, suggestions for modifications to the concept, or endorsement of alternative designs and specifics necessary to accomplish the Town's goals."

PA-4 is a High Density Residential District (HDR) that allows for a variety of residential housing types, including single-family detached, two-family, patio homes, townhomes and multi-family residential uses. The minimum lot size for a single-family detached dwelling unit is 2,400 sq. ft. PA-5 is a Medium Density Residential District (MDR) allowing similar residential uses with a minimum lot size for a single-family detached dwelling unit of 3,500 sq. ft. See the attached Outline Development Plan for more details on lot and building standards.

The surrounding zoning and land uses are described in the table below: Proposed Sketch Plan The proposed sketch plan includes 243 single-family detached lots, with lot widths varying from 45 feet to 60 feet. The plan shows 9 acres to be set aside for open space, either as parks or tracts. The plan is for two phases, the first phase west of Adams Street and a second phase east of Adams Street.

Town Engineer

1. Comments about the need for additional right-of-way for future street construction, including shared access for adjacent properties;
2. Water system modeling and extension of the system;
3. Sanitary sewer system modeling to support future capacity;
4. Street, sidewalk and trail connections to and around the subdivision; and
5. Comments on storm water flows, including but not limited to storm water collection, diversion and maintenance access.

Town Traffic Engineer

1. An updated traffic impact study is required. We recommend a scoping meeting with the applicant's traffic engineer and the Town be scheduled prior to the update;
2. Additional ROW for the planned Edwards Ave/SH 79 roundabout to the northwest as well as ROW for Custer St. along the eastern boundary will be required;
3. Comments regarding which access locations must be improved in Phase 1 and Phase 2; and
4. Comments on constructing the full width of Cedar St. in Phase 1.

Colorado Department of Transportation (CDOT)

1. Plans and rights-of-way for the future roundabout, Edward Avenue and Custer Street need to be identified; and
2. Comments regarding noise buffering along Edward Avenue.

Bennett School District 29J

1. Comments regarding school dedication requirements and the District's ongoing Masterplan update.

Town Attorney

1. Questions about the proposed open space dedication and related credits; and
2. Comments about the metro district owning and maintaining the parks and about the parks being for public use or residents only.

Planning, Zoning and Subdivision Policies and Regulations

1. Improvements to Edward Avenue from CO Highway 79 to the eastern edge of the proposed subdivision will need to be determined. Further discussion with the applicant, landowner and Town is advised;
2. The Town needs to see a more detailed description of how the proposed open space tracts are intended to be improved and used before we can determine how much of the areas will be credited against the public land dedication requirement;
3. Regarding the Town Attorney's note about metro districts owning and maintain parks, this is an issue that has come up in another Bennett subdivision. As you probably know, HOAs often don't have the wherewithal to properly maintain parks and common areas. In new subdivisions, the Town's preference is for the metro district, if there is one, to take over ownership and maintenance of parks and common areas. You should have this conversation with the metro district; and
4. While it appears all lots conform to the lot standards of the High Density Residential (HDR) and Mid-Density Residential (MDR) subareas of the Outline Development Plan, which serves as the governing zoning document.

As noted previously, the Planning and Zoning Commission does not need to take formal action on the sketch plan, but rather provide feedback to the applicant and staff. The applicant is expected to submit an application for a final plat in the near future. The final plat will be reviewed by both the Planning and Zoning Commission and the Town Board of Trustees.

COMMISSIONER COMMENTS/REPORTS

There were no reports from the commissioners.

4. **ADJOURNMENT**

COMMISSIONER METSKER MOVED, COMMISSIONER CONNOR SECONDED to adjourn the meeting. The Chair declared the motion carried by unanimous vote. The meeting was adjourned at 7:54 p.m.

DocuSigned by:

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Christina Hart, Town Clerk

DocuSigned by:

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Wayne Clark, Chairman